

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 6-23 are pending in the present application. Claims 6, 10, and 18 are amended by the present amendment. The claim amendments are supported by the originally filed specification, for example, on page 9, lines 4-11. No new matter is believed to be added.

INTERVIEW WITH THE EXAMINER

First, Applicant wishes to thank the Examiner and the Examiner's Supervisor for the courtesy of an interview granted to Applicant's representative on April 29, 2010, at which time the outstanding issues in this case were discussed. The claim amendments set forth in this amendment and arguments similar to the following arguments were presented. The Examiner indicated that in light of the arguments, the amended claims appear to overcome the primary reference used in rejecting the claims, and that he would reconsider the outstanding grounds for rejection upon formal submission of a response.

CLAIM REJECTIONS UNDER 35 U.S.C. §102 AND §103

In the Office Action mailed on February 22, 2010, claims 6-8, 10-12, 14-20, and 22-23 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Kauffman et al. (U.S. Patent No. 5,209,076, hereinafter "Kauffman"). Also, Claims 9, 13, and 21 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable

over Kauffman in view of Klapper et al. (U.S. Patent No. 6,448,982, hereinafter "Klapper").

Independent claim 6 is amended herewith to clarify the first comparison and the second comparison. Specifically amended claim 6 recites:

performing a first comparison by analyzing the reference parameters with respect to ~~between~~ the measured parameters, the manually entered parameters, ~~the reference parameters~~ and the operating parameters;
performing a second comparison by analyzing the reference parameters with respect to ~~between~~ the measured parameters, and the manually entered parameters ~~and the reference parameters stored in the first database.~~

The outstanding Office Action set forth the position that the sensed parameters in Kauffman correspond to the measured parameters as recited in claim 6, high and low safety ranges in Kauffman correspond to the manually entered parameters recited in claim 6, and time out periods in Kauffman correspond to the reference parameters recited in claim 6.

During the interview, the Examiner and the Applicant's representatives explored possible claim amendments supported by the originally filed specification, which would preclude broadly yet reasonably interpreting the time out periods as being reference parameters. In view of the language in the specification, which is now added to the independent claims 6, 10 and 18, the Examiner and the Applicant's representative reached an agreement that the claim amendments preclude interpreting time out periods as corresponding to the reference parameters. That is, it is inaccurate to analyze time out periods relative, for example, to a measured pressure.

In view of the above, Applicant believes that amended claim 6 and claims 7-9, 14 and 15 depending from claim 6 patentably distinguish over Kauffman at least due to the above-reproduced amended features recited in claim 6.

Independent claim 10 is amended herewith in a manner similar to amended claim 6. In view of the claim amendments, Applicant believes that amended independent claim 10 and claims 11-13, 16 and 17 depending from claim 10 patentably distinguish from Kauffman.

Likewise, independent claim 18 is amended herewith in a manner similar to amended claim 6. In view of the claim amendments, Applicant believes that amended independent claim 18 and claims 19-23 depending from claim 18 patentably distinguish from Kauffman.

Applicant found no evidence that Klapper alone or in combination with Kauffman, corrects or compensates for Kauffman's failure to anticipate all the features recited in amended independent claims 6, 10 and 18.

Dependent claims 9, 13, and 21 patentably distinguish over the applied references, Klapper and Kauffman, at least by inheriting patentable features from independent claims 6, 10, and 18, respectively.

CONCLUSION

Accordingly, in light of the above discussion and in view of the enclosed amendments, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested. If, however, there are any remaining unresolved issues that would prevent the issuance of the Notice of Allowance, the Examiner is urged to contact the undersigned at (540) 479-4111 in order to expedite prosecution of this application.

Respectfully submitted,
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Date: May 12, 2010

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